REMARKS

In the instant Action, Claims 11 and 52-55 are listed as pending, Claims 11, 52 and 53 are listed as allowed, and Claims 54 and 55 are listed as rejected.

In view of the finality of the instant Action, Applicants have canceled the rejected Claims 54 and 55 in order to place the instant application in a condition for allowance. Applicants expressly reserve the right to reclaim the canceled subject matter by filing a subsequent application.

Applicants submit that all claims are in a condition for allowance. Reconsideration of the instant Action, entry of the amendments submitted herewith, and allowance of all pending claims are respectfully requested. Prompt and favorable action is solicited.

Applicants are unaware of any additional fees due and owing with respect to this filing, however, if the Applicants' understanding is incorrect, the Commission is authorized to apply any charges and/or credits to Deposit Account No. <u>50-0590</u> referencing attorney docket number 073/US/PCT/US.

Date: $\frac{12/12/2008}{}$

Biomeasure, Incorporated 27 Maple Street Milford, MA 01757-3650 (508) 478-0144 Telephone (508) 478-2530 Facsimile Respectfully submitted,

Tony K. Uhm

Attorney for Applicants

Reg. No. 52,450